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Intellectual Property Law Patents Trademarks Copyrights

August 23, 2004

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants: Robert Frederick Benson et al.
Serial No.: 10/709,173
Filed: 04/19/2004
For: High Energy Galvanic Cell from Aluminum and Alkali Metal Peroxide
Our Reference No.: 1372.151.PRC

Dear Sir:

Enclosed please find the following:

1. Notice to File Missing Parts of Non-Provisional Application filed under 37 C.F.R. 1.53(b) – (2 pages);
2. Combined Declaration & Power of Attorney executed by inventors – (4 pages);
3. Combined Declaration and Power of Attorney by Assignee on Behalf of Deceased Inventor – (2 pages);
4. Copy of Recorded Assignment on Reel/Frame 014932/0077 and Reel/Frame 014932/0074;
5. Credit Card Payment Form PTO-2038 for \$65.00, to cover the late oath or declaration surcharge as set forth in 37 C.F.R. 1.16(e) for a small entity in compliance with 37 C.F.R. 1.27; and
6. Self-addressed and postage pre-paid post card to serve as a receipt for items 1-4.

Very respectfully,

SMITH & HOPEN

By: Anton J. Hopen
anton.hopen@smithhopen.com

AJH/sb
Encl.

CERTIFICATE OF MAILING
(37 C.F.R. 1.10)

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," mailing Label No. EV505918045US, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 23, 2004.

Date: August 23, 2004

Shelley Butz

08-24-04

JFW



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/709,173	04/19/2004	Robert Frederick Benson	1372.151.PRC

21901
 SMITH & HOPEN PA
 15950 BAY VISTA DRIVE
 SUITE 220
 CLEARWATER, FL 33760



CONFIRMATION NO. 3172

FORMALITIES LETTER



OC000000013060756

Date Mailed: 06/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/25/2004 EFLORES 00000043 10709173

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 UP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE